

AUSTIN CITY CHARTER
Zoning Case No. CH 4-2008-0105
POSTING: DATE/TIMERESTRICTIVE COVENANT 2008 OCT 16 PM 1 22

OWNER Oak Meadow Baptist Church, Austin, Texas,
a Texas non-profit corporation,
(formerly South First Baptist Church, Austin, Texas)

ADDRESS 3715 South 1st Street, Austin Texas 78704

CONSIDERATION Ten and No/100 Dollars (\$10 00) and other good and valuable
consideration paid by the City of Austin to the Owner, the receipt and
sufficiency of which is acknowledged

PROPERTY Approximately 6 26 acres of land composed of

Lots 1-3, Block A, Williamson Subdivision Section 2 Subdivision, a
subdivision in the City of Austin, Travis County, Texas, according to
the map or plat of record in Plat Book 7, Page 179,

The south one-half of Lot 3, Fortview Subdivision, a subdivision in
the City of Austin, Travis County, Texas, according to the map or
plat of record in Book Z, Page 606, Deed Records of Travis County,
Texas, and,

1 03 acres of land, more or less, out of Block 4, Fortview
Subdivision, a subdivision in the City of Austin, Travis County,
Texas, according to the map or plat of record in Book Z, Page 606,
Deed Records of Travis County, Texas

WHEREAS, the Owner (the "Owner", whether one or more) of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions,

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant. These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Property, its heirs, successors, and assigns

- 1 A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds the total traffic generation for the Property as specified in that certain Traffic Impact Analysis ("TIA") prepared by Fehr and Peers Transportation Consultants, dated June 2008, or as amended and approved by the Director of the Watershed Protection and Development Review Department. All development on the Property is subject to the recommendations contained in the memorandum from the Transportation Review Section of the Watershed Protection and Development Review Department, dated August 14, 2008. The TIA shall be kept on file at the Watershed Protection and Development Review Department.


#48 8-21-08

- 2 If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions
- 3 If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect
- 4 If at any time the City of Austin fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it
- 5 This agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the owner(s) of the Property subject to the modification, amendment or termination at the time of such modification, amendment or termination

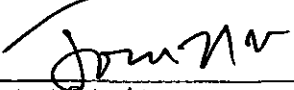
EXECUTED this the 18th day of August, 2008

OWNER:

**Oak Meadow Baptist Church, Austin, Texas,
a Texas non-profit corporation,
(formerly South First Baptist Church, Austin,
Texas)**

By 
Susan Majdalan,
Secretary


APPROVED AS TO FORM


Assistant City Attorney
City of Austin

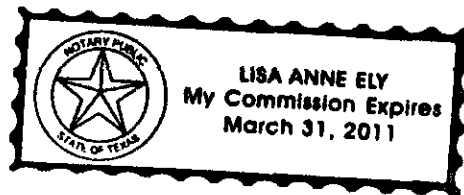
THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 18th day of August, 2008, by Susan Majdalani, Secretary of Oak Meadow Baptist Church, Austin, Texas, a Texas non-profit corporation, (formerly South First Baptist Church, Austin, Texas), on behalf of the corporation


Notary Public, State of Texas

After Recording, Please Return to
City of Austin
Department of Law
P. O. Box 1088
Austin, Texas 78767-1088
Attention: Diana Minter, Paralegal



FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



2008 Oct 03 10 41 AM 2008165327

SIFUENTEZY \$24 00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS